

**ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION**

**SUBJECT – Proposed Regulation No. 37
Nutrient Water Quality Trading
Third-Party Rulemaking
NORTHWEST ARKANSAS NUTRIENT TRADING
RESEARCH AND ADVISORY GROUP**

DOCKET NO. 18-001-R

MINUTE ORDER NO. 20-

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On January 11, 2018, the Northwest Arkansas Nutrient Trading Research and Advisory Group (“NANTRAG”) filed a Petition to Initiate Third-Party Rulemaking to adopt a new regulation, Proposed Regulation No. 37 – *Arkansas Nutrient Water Quality Trading Regulations* (Petition). The Commission met on January 26, 2018, to review NANTRAG’s Petition. Having considered the Petition, the Commission ordered the initiation of rulemaking proceeding to consider the adoption of Proposed Regulation No. 37.

On January 10, 2020, Springdale Water Utilities filed a Request to Substitute Parties. Springdale Water Utilities requested that the Commission substitute Springdale Water Utilities in the place of NANTRAG as the third-party petitioner in this rulemaking docket. On January 21, 2020, by Resolution No. 227-19, the Fayetteville City Council authorized its City Attorney to file an Objection on behalf of the City of Fayetteville to Springdale’s Request to Substitute Parties and such Objection was filed on January 23, 2020.

The Commission, having considered the Request of Springdale Water Utilities and the Objection and Alternative Request of Arkansas Rural Water Association, Beaver Water District, and Central Arkansas Water, and the Objection of the City of Fayetteville, hereby denies the request of Springdale Water Utilities to be substituted in the place of NANTRAG.

_____	L. Bengal	_____	R. McMullen
_____	A. Bigger	_____	D. Melton
_____	C. Colclasure	_____	S. Moss, Jr.
_____	J. Fox	_____	R. Reynolds
_____	M. Freeze	_____	R. Roper
_____	M. Goggans	_____	W. Ward
_____	D. Haak	_____	B. White
_____	B. Holland		

D. Melton – Chair

SUBMITTED BY:

DATE PASSED: _____

KIT WILLIAMS, CITY ATTORNEY
BLAKE PENNINGTON, ASST. CITY ATTORNEY